

**AN ORDINANCE TO AMEND SECTION 4(b)10 OF ARTICLE 6 OF CHAPTER 12,
OFFENSES AND VIOLATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF
SANDY SPRINGS**

WHEREAS, the Mayor and City Council of the City of Sandy Springs are charged with promoting and protecting the health, safety and welfare of the citizens and property owners of the City of Sandy Springs; and

WHEREAS, the Mayor and City Council find that excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life, and that the people have a right to, and should be ensured an environment free from excessive sound; and

WHEREAS, the Mayor and City Council find that the City is more likely to attract permanent residents and commercial enterprises if it controls and maintains appropriate noise quality and the residents will ultimately gain financial improvements and protection in their quality of life as a result of these regulations; and

WHEREAS, the Mayor and City Council of the City of Sandy Springs find that a substantial body of science and technology exists by which excessive sound may be substantially abated in a reasonable manner; and

WHEREAS, the Mayor and City Council of the City of Sandy Springs have resolved that it is their policy to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life; and

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby amend Section 4(b)(10) of Article 6, Noise Control, of Chapter 12, Offenses and Violations of the Code of Ordinances of the City of Sandy Springs to read as follows:

1.

Article 6: Noise Control.

Section 4: Prohibited noises; enumeration; penalty.

(b) The following acts are declared to be loud, disturbing, and unnecessary noise in violation of this section, but this enumeration shall not be deemed to be exclusive:

(10) *Construction or repair.*

i. Construction of any type, including, but not limited to, the erection (including excavation), demolition, alteration, or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, stream or electric hoist, automatic nailers or staplers, or any similar equipment attended by loud or unusual noise, shall be prohibited during the following times:

Before 7:30 a.m. or after 7:30 p.m. on weekdays, and before 8:00 a.m. or after 5:00 p.m. on Saturdays, and at any time on Sundays and/or legal holidays (New

Years Day (observed), Memorial Day (observed), Independence Day (observed), Labor Day (observed), Thanksgiving Day and Christmas Day (observed)).

- ii. Landscape Contractor using any type of motorized mowers or mechanical blowers and other equipment which create loud and excessive noise shall be prohibited, during the following times:

Before 7:30 a.m. or after 7:30 p.m. on weekdays, and before 8:00 a.m. or after 5:00 p.m. on Saturdays, and at any time on Sundays and/or legal holidays (New Years Day (observed), Memorial Day (observed), Independence Day (observed), Labor Day (observed), Thanksgiving Day and Christmas Day (observed)).

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

This Ordinance is effective December 18, 2007; and

ORDAINED this the 18th day of December, 2007.

Approved:

Eva Galambos, Mayor

Attest:

Christina Rowland, City Clerk

(Seal)